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Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Sixty-fourth year

Identical letters dated 5 January 2009 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

The Palestinian death toll continues to rise as Israel, the occupying Power, continues to trap, traumatize and terrorize the more than 1.5 million Palestinians living in the besieged Gaza Strip. In less than 10 days, Israel's excessive, disproportionate and indiscriminate use of force has brutally killed more than 500 Palestinians, including 107 children and 37 women. The tragic and continuous climb in the number of casualties is reflective of Israel's ongoing bloody onslaught against the Palestinian population in the Occupied Gaza Strip, in complete disregard and violation of all norms and rules of international humanitarian law and human rights law.

On Saturday, 3 January 2009, thousands of Israeli occupying forces, backed by tanks and helicopters, entered the Gaza Strip, unleashing a heightened level of aggression on the Palestinian civilian population there. Just a couple hours after the ground invasion by the occupying forces, medics reported the number of innocent civilian casualties continued to mount and that children and women were among the dead.

Since Saturday, there have been numerous accounts of civilian casualties due to Israel's barbaric military campaign throughout Gaza. In the east of Gaza City's Zeitoun neighbourhood, two young boys, Ahmed Sabih and Mohammed al-Mashharawi, aged 10 and 11, were killed and several were injured when a shell hit their home. In Gaza City's Tuffah neighbourhood, indiscriminate Israeli artillery fire killed an entire family, including a mother and her four children. Not far from the scene of that brutal killing, Israeli artillery fire targeted the Gaza Municipality building and the nearby fruit market, killing four civilians and injuring 40 others as they shopped for basic necessities. In Beit Lahiya, Israeli occupying forces fired missiles at a mosque, killing 14 Palestinians and injuring dozens of others during evening prayers. Also in Beit Lahiya, an Israeli air strike killed 10 Palestinians, including four children, and injured 30 other civilians. Overnight in Rafah, Israeli

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missiles targeted the home of the Barbakh family, killing five members of the same family.

In addition to these tragic events, medical sources in Gaza reported that Israeli helicopters deliberately targeted and killed three paramedics as they rushed to rescue a group of Palestinians in the Tal Al-Hawa neighbourhood in Gaza City. While the paramedics, Yasser Schbeir and Ra'fat Al-Aklouk, rushed to provide medical assistance, an Israeli missile struck them. When two other paramedics hurried to come to their aid, Israeli helicopters targeted them too, killing one and gravely injuring another. To the north in Beit Lahiya, Israeli helicopters also targeted another paramedic team, killing one and injuring another.

Making matters worse, many of the injured, now over 2,500, have not been able to obtain the urgent medical treatment they need. Medical teams have been unable to access areas to rescue the injured and Gaza hospitals, already dealing with critical shortages of supplies due to the 18-month siege of Gaza, have not had the supplies, equipment or capacity to handle the massive number of civilians requiring urgent medical care.

The already dire humanitarian situation in the Gaza Strip has sharply deteriorated, resulting in a critical emergency. According to a situation report issued by the United Nations Office for the Coordination of Humanitarian Affairs on 2 January 2009, the humanitarian crisis in the Gaza Strip was described as "one which cannot be understated". It went on to state that it follows what the United Nations had described as an 18-month-long "human dignity crisis" in the Gaza Strip, entailing a massive destruction of livelihoods and a significant deterioration of infrastructure and basic services. Among some elements of the current humanitarian crisis, it stated that 80 per cent of the population cannot support themselves and are dependant on humanitarian assistance. This figure continues to increase with every day of Israel's assault on Gaza, with severe shortages in basic services and supplies. According to the World Food Programme, the population is facing a food crisis, with shortages of flour, rice, sugar, dairy products, milk, canned foods and fresh meats. Utilities are barely functioning, as the only electric power plant has been shut down. More than 250,000 people living in central and northern Gaza do not have electricity at all due to the damage to 15 electricity transformers during Israel's aerial bombardments. And fuel for heating, needed due to the cold weather, and cooking gas are no longer available in the market.

As more innocent Palestinians, including children and women, continue to be killed and with no end in sight as Israel continues with its aerial bombardment and ground invasion, the international community must do all in its power to compel Israel to immediately cease all its military attacks and scrupulously abide by all of its obligations as the occupying Power, under international law and relevant United Nations resolutions, including the provisions of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949. In this regard, we continue to call for the immediate protection of the Palestinian civilian population in the Gaza Strip, in accordance with the relevant provisions of international humanitarian law. Moreover, the collective punishment of the Palestinian people in the Gaza Strip must end and the Gaza Strip border crossings should be opened immediately, in order to ensure the free access of

humanitarian aid and other essential supplies and goods and to facilitate the passage of persons to and from the Gaza Strip.

In spite of our deep disappointment at the inability of the Security Council to uphold its responsibilities in maintaining international peace and security and despite 10 days of sustained military attacks that have gravely affected the civilian population and heightened instability and tensions in the region, we continue to call on the Council to fulfil its duties in accordance with the Charter of the United Nations and to take concrete measures to end Israeli aggression. The international community cannot allow the occupying Power to continue to act with such flagrant impunity and disrespect for the law, which has resulted in the tragic death and suffering among the defenceless Palestinian civilian population.

This letter is in follow-up to our previous 327 letters to you regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 2 January 2009 (A/ES-10/431-S/2009/3), constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, State terrorism and systematic human rights violations committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice. (As all the victims have not yet been identified, their names will be included in an annex to a future letter.)

I should be so grateful if you would arrange to have the text of the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Riyad **Mansour**
Ambassador
Permanent Observer